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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,273	11/25/2003	Michael Jay	EBCI 8729US	6361
1688	7590	07/09/2004	EXAMINER	
POLSTER, LIEDER, WOODRUFF & LUCCHESI 12412 POWERSCOURT DRIVE SUITE 200 ST. LOUIS, MO 63131-3615			WALSH, DANIEL I	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 07/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicant(s)

10/722,273

Applicant(s)

JAY ET AL.

Examiner

Daniel I Walsh

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3-04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. Receipt is acknowledged of the IDS received on 8 March 2004.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 9-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Ban.

Ban teaches roaming profiles (paragraph [0003]) where an external storage device stores personalized computing device setting information (profiles) including one or more of background settings, color preferences, icons, location of icons, audio settings, device printing preferences and a list of applications, and retrieving the setting information and implementing it on the computing device (when a user logs in with the profile on the network) (paragraph [0002]-[0003]). Re claim 10, a removable storage device is taught (see claim 1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a

person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1, 2, 4, 6, 14, 17, 18, and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fisher et al. (US 2004/0095382).

Re claim 1, Fisher et al. teaches connecting a computing device to an external storage device on which is stored session information (FIG. 1). Fisher et al. teaches the session information includes the users files and applications (FIG. 1). Fisher et al. teaches a hibernation function (paragraph [0027]) where open files are stored on the device. Fisher et al. teaches applications 112 (expected) stored on the device. Though it is possible the applications were previously used, Fisher et al. is silent to their previous use. However, at the time the invention was made, it would have been well within the ordinary skill in the art to include applications that are previously used, in order to allow the user access to programs even if they are not installed on the host computer. Fisher et al. teaches retrieving the session information and enabling the computing device to open one of the files upon initiation of a user session, as discussed above re hibernation (and abstract). Though Fisher et al. is silent to a list of files remaining opened, Fisher et al.

teaches displaying opened files through the hibernation function. Accordingly, it would have been obvious that the session information include a list of opened files so that the hibernation function will know what files to open on the next session.

Re claim 2, Fisher et al. teaches storing the session information (paragraph [0026]). Though Fisher et al. teaches the use of a button, and is silent to performing the save at the end of a user session, it is obvious that such a save could be performed at the end of the session, at the discretion of the user. For example, it is well known to save the most recent preferences/changes, and these can indeed occur at the end of a session, as is obvious in the art, and discussed above re the hibernation function, and further by Ban (Block 26) (US 2004/0073787) and The Wall Street Journal on-line (see below). Further, the Examiner notes it is well known and conventional to save files upon completion of a program or exiting of a program, as is well known in the art, in order to save the most recent versions of information.

Re claim 4, the storage device is remote (FIG. 1 and abstract).

Re claim 6, Fisher et al. teaches the limitations (paragraph [0023] and [0039]).

Re claim 14, the limitations have been discussed above re claims 1 and 6.

Re claim 17, it has been discussed above that the files are loaded at the beginning of a session (upon connection of the external storage device).

Re claim 18, the limitations have been discussed above re claim 2.

Re claims 23-24, Fisher et al. teaches software or physical buttons to save interfaces (paragraph [0026]). It is well within the skill in the art to press the buttons to save at intervals. Further, the Examiner notes that it is well known and conventional in the art for automated save functions to be present in software/hardware, where data is

saved automatically to a temporary storage (interpreted as cache) for protection of data against abnormalities, for example. Accordingly, it would have been obvious to implement an auto-save feature in order to protect the most recent changes to data, as is well known and conventional in the art.

4. Claims 3, 7, 8, 15, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fisher et al., further in view of The Wall Street Journal on-line (as cited by the applicant), hereinafter WSJ.

The teachings of Fisher et al. have been discussed above. Fisher et al. teaches storing the files on the storage device but is silent to deleting them from the computing device. However, it is obvious to do so to remove the users customized interface and other information specific to the users setting.

Re claims 3 and 16, WSJ teaches the files are stored only on the external storage device, and the files are not accessible on the computing device. Re claims 7 and 15, it has been discussed above to delete the files from the computing device as they are removed from access when the storage device is logged off (re claim 2). Fisher et al. teaches storing the settings of the computing device prior to or upon initiation of a use session and then restoring the settings at the end of a use session to the prior settings (paragraph [0041]). This is interpreted to include restoring the settings to the prior settings. It is obvious to store the settings prior to/during initiation of a session, so that the settings are stored on the device for the next session. Further, as taught above re claim 2, Fisher et al. teaches pressing a button to initiate saving. It is well within the skill in the art to save at the beginning (and again at the end, for example) to ensure that

settings are saved by not waiting until the end of a Re claim 8, the limitations have been discussed above re claim 2.

At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Fisher et al. with those of WSJ.

One would have been motivated to do this in order to remove traces of the previous user, for security/privacy as is well known and conventional in the art.

5. Claims 5, 19-22, and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fisher et al., further in view of Ban (US 2004/0073787).

The teachings of Fisher et al. have been discussed above.

Re claim 5, Fisher et al. is silent to a remote computing device on the network.

Re claim 19, Fisher et al. is silent to marking the files on the network. Re claim 25, Fisher et al. is silent to authenticating the storage device.

Re claim 5, Ban teaches the use of roaming profiles (paragraph [0003]) that are stored on a remote computing device on a network that are retrieved. The server holding the roaming profiles is an example of an external remote storage device on a network.

Re claims 19-22, the use of roaming profiles has been discussed above. Roaming profiles have means for marking the files as checked out/protected since they are accessible by only the normal user who has the corresponding profile. However, roaming profiles include means for releasing the protected files since network users are able to save files to a common drive (shared) or area, when needed, as is known in the art. Further, re claim 22, it is understood that the protected files are synchronized with corresponding files on the network/computing device since user profiles specific files are able to be run with applications and files on a workstation, which is interpreted as being

in synch with corresponding files. Alternatively, it is well known to select files to be stored on the external storage device (see WSJ). Re claims 25-26, the Examiner notes that it is well known and conventional in the art to verify the authenticity of a card/storage device by processing a file on the device. For example, authentication techniques such as keys, dongles, codes, passwords, etc. are well know and conventional means of authenticating such devices connected to a computing device. Specifically, Ban et al. teaches verifying the certificate of a portable storage medium to configure a workspace. This is determined to include authenticating the device by use of a data file (certificate file). The Examiner notes US Patent references 5,442,342, 6,336,585, 6336585, 20030163717, and 20040037145, which teach authentication of a card device, as is well known and conventional in the art. Further, it is well known to perform mutual authentication ("In order to ensure security between the smart card and the read/write unit, a system is used to authenticate both devices and to encrypt the messages transmitted between the two. To authenticate the devices, the card and the read/write unit have an identical authentication algorithm and secret key embedded in each. The card sends a random number to the receiving unit and both process the number with the algorithm and secret key. If the read/write unit returns the same number to the card as the result the card computed, the read/write unit is authentic. The process is then reversed, to determine if the card is authentic (McCrindle 1990, 106)." [_ HYPERLINK "http://disc.cba.uh.edu/~rhirsch/fall96/lara.htm"](http://disc.cba.uh.edu/~rhirsch/fall96/lara.htm) [_http://disc.cba.uh.edu/~rhirsch/fall96/lara.htm](http://disc.cba.uh.edu/~rhirsch/fall96/lara.htm) 1996). The Examiner notes that the general teachings of authenticating a card/memory device inserted into a system are

applicable to the present information, since they provided the added benefits of security, which is desirable.

At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Fisher et al. with Ban et al.

One would have been motivated to do this in order to effectively have a means to customize a user profile when logging onto a computer system, while maintaining the security/protection of user specific files as is conventional in the art. Further, as Ban et al. teaches using a profile on computer system where the user is known and that updated copies are stored on the external storage and the computing device itself (paragraphs [0067] and [0068]) it is clearly obvious that files associated with a stored (on the computer system) profile have means for being protected and released in order to provide security and sharability, as is conventional and well known in the art, while providing security, which is essential and a pressing concern in computing at the present time.

6. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ban et al., further in view of WSJ.

The teachings of Ban et al. have been discussed above.

The limitations of claim 12 have been discussed above re claim 7.

At the time the invention was made, it would have been obvious to an artisan to combine the teachings of Ban et al. with those of WSJ.

One would have been motivated to do this to provide for a means to personalize a computing environment while providing added security/privacy by not storing any user specific data on the computing device, which would be ideal in instances when a user is logging onto a foreign system, as taught by Ban et al.

7. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ban et al., as applied to claim 9 above, further in view of Fisher et al.

The teachings of Ban have been discussed above.

Ban is silent to when to store changes to the storage device.

Re claim 13, the limitations have been discussed above, re claim 2.

At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Ban with those of Fisher et al.

One would have been motivated to do this in order to have a means to transport the personalized look of a computer across multiple computers and update the changes at the end of a session, typically when the most recent version of the profile is attained.

Also, saving at the end of a process/application is well know and conventional in the art for ensuring saving of an updated process/data, etc.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Zanco et al. (US 5,633,484), Shih-Chieh et al. (US 2004/0103274), Tanaka (US 6,012,143), Yoshimoto et al. (US 2003/0163717), Kung (US 5,442,342), Takatsuki et al. (US 2003/0075599), Harada et al. (US 6,336,585), Yoshii (JP 02205906 A), Lara Sterzing, Smart Card Technology and Applications, <http://disc.cba.uh.edu/~rhirsch/fall96/lara.htm>, for DISC 6341 Information Systems, September 23, 1996, and Copy Protection, Roger Nichols, http://www.rogernichols.com/EQ/EQ_2001_05.html, 2001.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Walsh whose telephone number is (571) 272-2409.

The examiner can normally be reached between the hours of 7:30am to 4:00pm Monday through Friday.

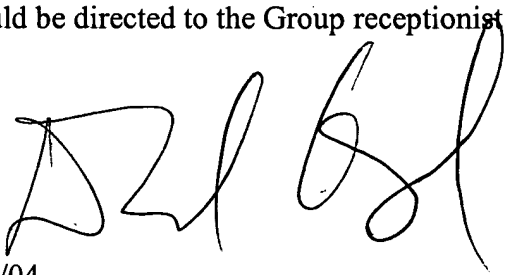
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone numbers for this Group is (703) 308-7722, (703) 308-7724, or (703) 308-7382.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [daniel.walsh@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set for the in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

DW
6/15/04



KARL D. FRECH
PRIMARY EXAMINER